

* BEFORE THE
*
* DEPUTY ZONING COMMISSIONER
*
* OF BALTIMORE COUNTY
*
* Case No. 97-55-A
*

* * * * *

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 2920 Chenoak Avenue, located in the vicinity of Harford Road in Parkville. The Petition was filed by the owners of the property, Clayton E. and Sharon L. McManus. The Petitioners seek relief from Sections 1B02.3C1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 18 feet in lieu of the required average of 25.5 feet for a porch enclosure. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Clayton and Sharon McManus, owners of the property. Appearing as a Protestant in the matter was Frances Chenowith, adjoining property owner.

Testimony and evidence offered revealed that the subject property consists of .17 acres, more or less, zoned D.R. 5.5, and is improved with a single family dwelling. The Petitioner recently commenced enclosing an existing front porch in order to provide additional living space for his family. Apparently, during a routine inspection of the neighborhood, the Petitioner was advised that a variance was necessary and was issued a Stop Work Order pending the outcome of this hearing. Testimony indicated that

9/28/96

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the Petitioners and their three children reside on the property and that the dwelling contains only two bedrooms. The Petitioner intends to convert the existing dining room into a bedroom and wishes to enclose the existing front porch to expand the living room area. It should be noted that the existing porch is 8 feet deep and 24 feet wide and that the proposed enclosure will only use 16 feet of the overall width. Therefore, upon completion of the enclosure, there will still remain 8 feet of front porch on the house. Due to the close proximity of the proposed addition to the front property line, a variance is necessary in order to proceed with the proposed improvements. In support of their request, the Petitioners submitted a Petition which had been signed by many of their neighbors indicating they have no objections to the proposed porch enclosure.

As noted above, Ms. Frances Chenowith appeared in opposition to the Petitioners' request. Ms. Chenowith believes that the Petitioners have simply outgrown their home and should move to another residence. Ms. Chenowith does not believe that enclosing the front porch and creating another bedroom will solve the space problems faced by the Petitioners. Furthermore, she believes that the front building setback line should be maintained throughout the neighborhood and argued that granting the proposed porch enclosure will adversely affect the surrounding community.

Testimony revealed that Ms. Chenowith does not reside on the adjacent property, but rents that property out as a two-apartment dwelling. Ms. Chenowith resides across the street at 2927 Chenoak Avenue. She testified that regardless of the fact that she does not reside on the adjacent property, she objects to the Petitioners' proposal to enclose the front porch of their home.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

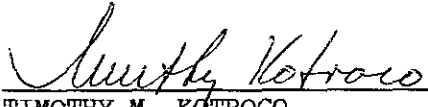
Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After considering the testimony and evidence offered by the Petitioners as well as the Protestants, I am persuaded to grant the variance relief. The Petitioners wish to stay in this community and in an effort to make their home more comfortable for their family, have elected to enclose a portion of an existing porch. Furthermore, the variance is not for any addition or expansion of the existing dwelling, but is necessitated by virtue of the proposed porch enclosure. In my view, the relief requested will not result in any detriment to the health, safety and general welfare of the surrounding locale and meets the spirit and intent of the zoning regulations. For these reasons, I am persuaded to grant the variance and I shall so Order.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of September, 1996 that the Petition for Variance seeking relief from Sections 1B02.3C1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 18 feet in lieu of the required average of 25.5 feet for a porch enclosure, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

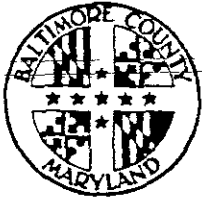
TMK:bjs

ORDER RECEIVED FOR FILING

Date

By

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Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

September 24, 1996

Mr. & Mrs. Clayton E. McManus
2920 Chenoak Avenue
Baltimore, Maryland 21234

RE: PETITION FOR VARIANCE
NE/S Chenoak Avenue, 300' SE of c/l of Fullerdale Avenue
(2920 Chenoak Avenue)
9th Election District - 6th Councilmanic District
Clayton E. McManus, et ux - Petitioners
Case No. 97-55-A

Dear Mr. & Mrs. McManus:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Frances Chenowith
2927 Chenoak Avenue, Baltimore, Md. 21234

People's Counsel

File

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Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2920 Chenoak Avenue

which is presently zoned DR5.5

97-55-A

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1B02.3 C1 and 303.1 to permit an 18ft front yard in lieu of the average 25.5ft

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

TO ENCLOSE A PART OF OUR FRONT PORCH TO INCREASE OUR LIVING SPACE. WITH THREE CHILDREN AND ONLY TWO BEDROOMS, WE ARE CONVERTING OUR DINING ROOM INTO ANOTHER BEDROOM. ELEVATING THE ROOF OR GOING OUT THE BACK WOULD COST THOUSANDS. TO MAKE A LATERAL MOVE IS IMPOSSIBLE. THERE IS ALREADY A FOUNDATION TO BUILD ON THE PORCH SO THIS IS

Property is to be posted and advertised as prescribed by Zoning Regulations. MOST PRACTICAL.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

Clayton E McManus
(Type or Print Name)

Clayton E McManus
Signature

Sharon L McManus
(Type or Print Name)

Sharon L McManus
Signature

2920 Chenoak Ave
Address

Phone No.

Baltimore MD 21234
City State Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: MHE

DATE

8/1/86

Dont schedule hearing from 8/30 - 9/6 (vacation)



Printed with Soybean Ink on Recycled Paper



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ORDER RECEIVED FOR FILING

Date

By

Beginning on the northeast side of Chenook Avenue,
30 feet wide, at the distance of 300 feet southeast
the centerline of Fullerdate Rd. Being Lot 6
in the Fullerdate subdivision as recorded in Plat
Book 5, folio 12. Also known as 2920 Chenook
Avenue containing .17 acres in the 9th Election
District.

CASE NUMBER: 97-55-A (Item 49)

2920 Chenoak Avenue

NE/S Chenoak Avenue, 300' SE of c/l Fullerdale Avenue

9th Election District - 6th Councilmanic

Legal Owner(s): Clayton E. McManus and Sharon L. McManus

Post by: 8/25/96

2807

Variance to permit a 18 foot front yard in lieu of the average 25.5 feet.

HEARING: MONDAY, SEPTEMBER 9, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

97-55-A

District 9th

Posted for: 9-9-96 HEARING

Date of Posting 8/24/96

Petitioner: MC MANUS

Location of property: 2920 CHENOA AVE

Location of Signs: _____

Remarks: _____

Posted by PHB

Signature

Date of return: _____

Number of Signs: 1

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NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will

hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #97-55-A
(Item 49)

2920 Chenoak Avenue
NE/S Chenoak Avenue, 300'
SE of c/1 Fullerdale Avenue
9th Election District
6th Councilmanic
Legal Owner(s):

Clayton E. McManus and
Sharon L. McManus

Variance: to permit an 18
foot front yard in lieu of the av-
erage 25.5 feet.

Hearing: Monday, September
9, 1996 at 9:00 a.m. in Rm.
118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Call 887-3353.

(2) For information concern-
ing the File and/or Hearing,
Please Call 887-3391.

8/29/96 Aug 22

C76067

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Aug 22, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug 22, 1996

THE JEFFERSONIAN,

A. Henrickson

LEGAL AD. - TOWSON

UNRECORDED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 49 Petitioner: Clayton McManus

Location: 2920 Chenook Avenue

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Clayton McManus

ADDRESS: 2920 Chenook Avenue

Baltimore, MD 21234

PHONE NUMBER: 410-882-8641



TO: PUTUXENT PUBLISHING COMPANY
August 22, 1996 Issue - Jeffersonian

Please forward billing to:

Clayton McManus
2920 Chenoak Avenue
Baltimore, MD 21234
882-8641

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-55-A (Item 49)
2920 Chenoak Avenue
NE/S Chenoak Avenue, 300' SE of c/l Fullerdale Avenue
9th Election District - 6th Councilmanic
Legal Owner(s): Clayton E. McManus and Sharon L. McManus

Variance to permit a 18 foot front yard in lieu of the average 25.5 feet.

HEARING: MONDAY, SEPTEMBER 9, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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HYD. REF POINT	Qa Qt	DIA. "C" Pf/F	FITTING or Eq. Ln.	PIPE FTING'S TOTAL	Pt Pe Pf	Pt Pv Pn	***** NOTES *****
56	0.00 392.60	10.000 C=100 0.0005	2L 1C 0.00	21.25 3.12 0.00	10.00 24.37 37.37	57.80 3.90 0.00	57.38 0.00 0.00 Vel = 1.56
BAS	0.00 232.65	10.220 C=100 0.0006	3L 0.00 0.00	33.92 0.00 411.92	278.00 32.32 0.28	71.78 7.80 0.00	71.78 0.00 0.00 Vel = 1.54
CONN	217.76 174.90	12.160 C=100 0.0001	1F 0.00 0.00	7.52 0.00 90.52	83.00 7.52 0.01	79.86 0.00 0.00	79.86 0.00 0.00 Vel = .48
A	0.00 174.00	12.160 C=100 0.0000	4L 3F 1T 1G	60.20 45.14 37.62 4.51	1679.00 150.47 2029.47	79.87 0.00 0.13	79.87 0.00 0.00 Vel = .48
TEST	174.90				80.00		K = 12.554
CONN	217.76 217.76	12.160 C=100 0.0001	1F 0.00 0.00	7.52 0.00 97.52	83.00 7.52 0.01	79.86 0.00 0.00	79.86 0.00 0.00 Vel = .60
B	0.00 217.76	12.160 C=100 0.0000	6F 2S 1T	45.14 9.03 37.62	1224.00 91.79 1315.79	79.87 0.00 0.13	79.87 0.00 0.00 Vel = .60
TEST	400.00 617.76				00.00		Qa = 400.00 K = 55.067



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 15, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-55-A (Item 49)
2920 Chenoak Avenue
NE/S Chenoak Avenue, 300' SE of c/l Fullerdale Avenue
9th Election District - 6th Councilmanic
Legal Owner(s): Clayton E. McManus and Sharon L. McManus

Variance to permit a 18 foot front yard in lieu of the average 25.5 feet.

HEARING: MONDAY, SEPTEMBER 9, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Clayton and Sharon McManus

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 5, 1996

Mr. and Mrs. Clayton E. McManus
2920 Chenoak Avenue
Baltimore, MD 21234

RE: Item No.: 49
Case No.: 97-55-A
Petitioner: Clayton McManus, et ux

Dear Mr. and Mrs. Moser:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 1, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND
ELECTRICAL INSPECTION FEE SCHEDULE

EFFECTIVE APRIL 1, 1992

MINIMUM FEE FOR ELECTRICAL PERMITS IS \$17.00

PERMIT EXPIRATION

A permit shall expire one year from the date it was issued unless it is extended, in which case it can only be extended for one additional year. The maximum duration of an electrical permit is two years.

ROUGH WIRING

FIXTURES

All switches, receptacles, and lights to be counted as outlets:

1 to 50 outlets . . . \$17.00	1 to 50 fixtures . . . \$17.00
For each additional 25 outlets or fraction thereof . . . \$ 3.00	For each additional 25 fixtures or fraction thereof . . . \$3.00

COMPLETED INSTALLATIONS, where wiring and fixtures are installed and can be inspected on one visit, apply rough wiring schedule based on total number of outlets.

FEES - NEW RESIDENCE - FLAT RATE - INCLUDES ALL APPLIANCES & SERVICE

Not over 100 amp. service	\$44.00
Not over 200 amp. service	\$52.00
Over 200 amp. service	\$57.00

FEES - NEW APARTMENTS - INCLUDES ALL APPLIANCES - SERVICE ADDITIONAL

1 to 5 - Use Rough Wiring & Fixture Schedules, Service Additional
6 or more - \$17.00 per apartment, Service Additional

ADDITIONS & REMODELING - Use Rough Wiring and Fixture Schedules.
Appliances such as electric ranges, range tops, ovens, air conditioners, water heaters, disposals, dishwashers, dryers, water pumps, electric heating units, etc., installed in dwelling occupancies: a charge of \$5.00 will be made for the first unit 20 KW or less, and \$2.00 for each additional unit or outlets.

INDUSTRIAL AND COMMERCIAL EQUIPMENT - such as air conditioners, motors, generators, commercial heaters, transformers, capacitors, welders and similar devices:

Secondary Fee	
Single unit or group not exceeding 5 motors whose total capacity does not exceed 1 HP or KW . . .	\$17.00 -- \$5.00
1 HP to 40 HP, KW or KVA	\$17.00 -- \$5.00
Over 40 HP to 75 HP, KW or KVA	\$17.00 -- \$6.00
Over 75 HP, KW or KVA	\$17.00 -- \$7.00

NOTE: Where above motor fees exceed \$75.00 and inspections can be completed within 90 days of filing application, apply 50% of the above fees for the amount over \$75.00.

NEW SERVICE - RELOCATION OR CHANGE IN SERVICE

Not over 400 amps	\$17.00
Over 400, not over 800 amps	\$25.00
Over 800 amps	\$43.00

INVESTIGATION FEE

Whenever any work for which a permit is required under this code has been commenced without authorization of such permit, a special investigation shall be made before a permit may be issued for such work. In addition to the regular permit fee, an investigation fee of \$43.00 shall be collected.

MODULAR HOMES OR PREFABRICATED STRUCTURES

Must bear a sticker of approval from the U.S. federal government, the state, a national testing facility, or other recognized inspection bureau. When this sticker is in evidence, a flat rate of \$43.00 will be charged.

TRANSFORMERS, VAULTS - OUTDOOR ENCLOSURES

OUTDOOR SUB-STATIONS

Not over 200 KVA	\$19.00
Over 200 to 500 KVA	\$21.00
Over 500 KVA	\$28.00

NOTE: Above applied to each bank of transformers.

SWIMMING POOLS

Bonding \$17.00
Filters & Pool Lights (Use fixture & appliance schedule)

REINSPECTION OR REINTRODUCTION OF CURRENT

Charge is in relation to amount of supervision, but no less than \$43.00
Any equipment not heretofore approved, the schedule covering classification to apply used.

ADDITIONAL INSPECTIONS

For reported correction of defects found in original installation (after notice of correction and second inspection) \$17.00

ELECTRIC SIGNS

Electric discharge sign lighting systems, charge based on amp. rating of each sign:
0 to 10 amp. \$17.00
Each additional 5 amp. or fraction thereof . . . \$ 7.00
For incandescent signs, divide total number of sockets by "4" applying rough wiring schedule for each sign,
minimum fee. \$17.00

Charge for each combination incandescent and gas tube sign to be computed by adding charge for each class.

ELEVATOR INSTALLATIONS

Single unit, non-automatic,
1 to 20 HP each \$17.00
Single unit, non-automatic,
Over 20 HP: apply primary motor schedule.
Automatic elevators: Add \$5.00 to primary motor schedule.

RADIO OR TV APPARATUS

Minimum fee \$17.00

PROTECTIVE SIGNALING SYSTEMS, SOUND OR TIME SYSTEMS OUTLETS, TELEPHONES

1 to 15 devices \$17.00
Each additional 5 \$ 3.00

TEMPORARY INSTALLATIONS AND DECORATIVE DISPLAYS
Temporary installations for carnivals, Christmas decorations, halls churches, etc., where inspection is on a one-time basis, apply the following fees:

1 to 10 KW	\$17.00
11 to 25 KW	\$21.00
26 to 50 KW	\$28.00
Over 50 KW	\$34.00

Where inspection is not on a one-time basis, Special Services below:

SPECIAL SERVICES

Special services (such as annual inspections, hospital operating floors, motion picture equipment, mobile homes, etc.) and/or conditions not provided for in the schedule shall be charged for on the basis of time required.
Minimum fee \$17.00

Temporarily and inspections requested after the first inspection, when work was not ready, EACH \$43.00

Issuance of duplicate certificate . . . \$ 3.00

PRE-PURCHASE AND USE POSTCARD PERMITS (\$17.00) FOR SIMPLE, ONE-ITEM INSPECTIONS.

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: August 16, 1996

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for August 19, 1996
 Item Number 049

 The Development Plans Review Division has reviewed the subject
zoning item.

 Chenoak Avenue is an existing road which shall ultimately be
improved as a 30-foot cross section on a 50-foot right-of-way.

RWB:HJO:jrb

cc: File

ZONE22C

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: August 8, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 47, 49, 50, 51, and 53

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey M. Long

Division Chief:

Darryl L. Kerns

PK/JL

Baltimore County Government
Department of Community Development



One Investment Place Suite 800
Towson, MD 21204

887-3317
Fax 887-5696

Roz

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

DATE: Aug. 13, 1996

SUBJECT: Zoning Advisory Committee
Meeting Date: Aug 12, 96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:	43	52
	44	53
	45	54
	47	
	48	
	49	
	50	
	51	

RBS:sp

BRUCE2/DEPRM/TXTSBP

9-1-96

DISFORMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 08/14/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUG. 12, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 43, 45, 46, 47, 49, 50, 51, 52,
53 AND 54.

ENCLOSURE

15803

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



PETITION PROBLEMS

#43 --- JRA

1. Petition form does not have section number or what they are requesting.
2. Petition form states zoning is "residential".

#45 --- MJK

1. Petition was not given copy of receipt - still in folder.
2. No telephone number for legal owner

#46 --- MJK

1. No telephone number for legal owner.

#48 --- JLL

1. Need authorization for attorney to sign for legal owner.

#49 --- MJK

1. No telephone number for legal owner.

#52 --- MJK

1. Receipt not given to petition - still in folder.
2. No name, address, etc. for legal owner.

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Flow Test 6/17/96

PRICE - 8
MECHANICAL

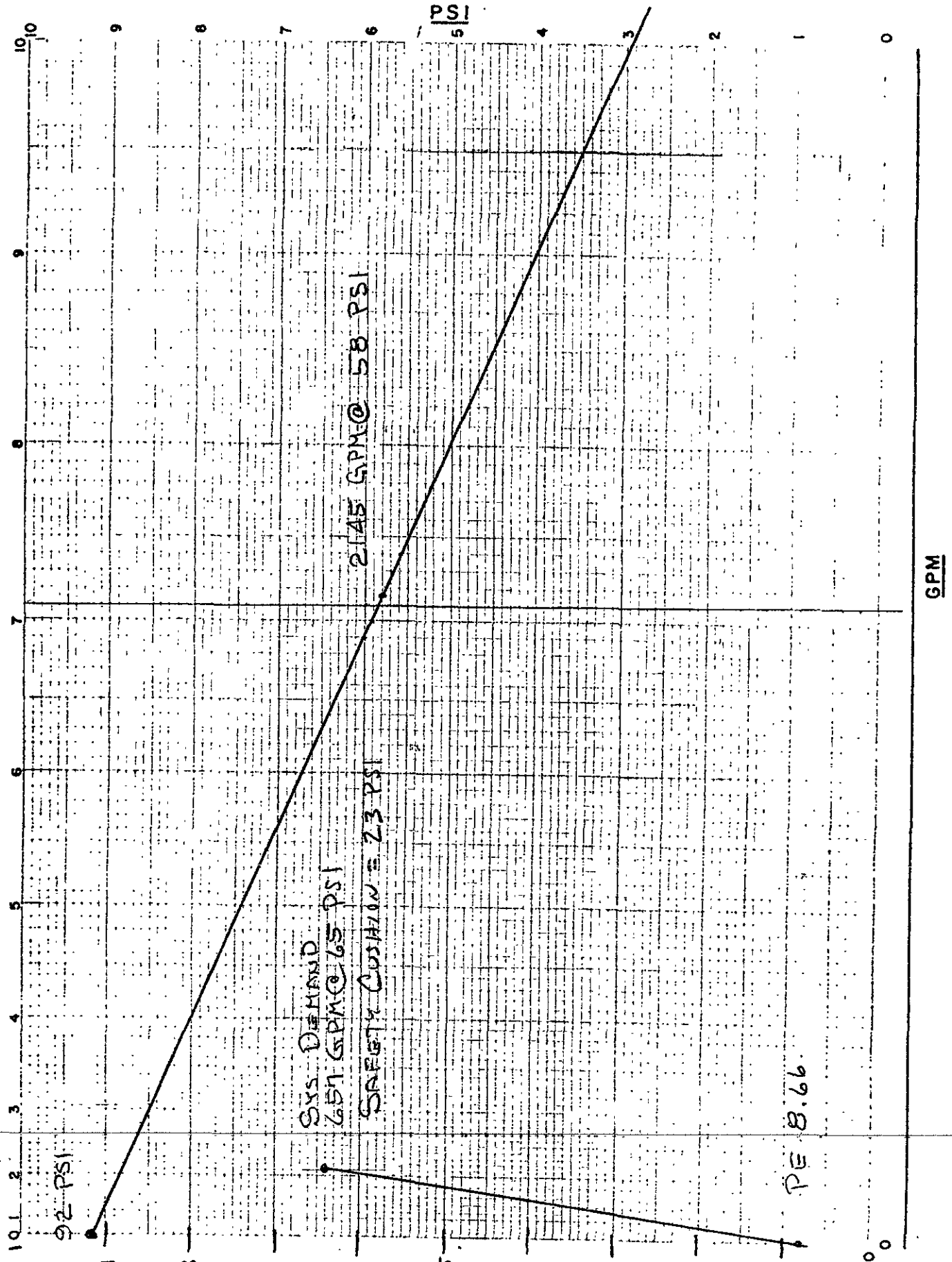
N1.85 GRAPH

CONTRACT NO. 96055
NAME: T. ROWE PRICE DATA CENTER
ADDRESS: _____

SHEET NO. 8 OF 8
SYSTEM NO. _____
DATE: 6-25-96

MULTIPLY SCALE BY 10

MULTIPLY SCALE BY 300
GPM



RE: PETITION FOR VARIANCE
2920 Chenoak Avenue, NE/S Chenoak Ave.,
300' SE of c/l Fullerdale Avenue
9th Election District, 6th Councilmanic

Clayton E. and Sharon L. McManus
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 97-55-A

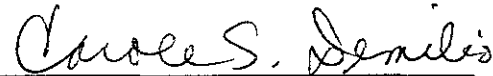
* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.




PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

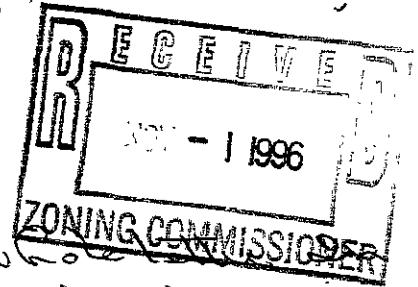
I HEREBY CERTIFY that on this 6th day of September, 1996, a copy of the foregoing Entry of Appearance was mailed to Clayton E. and Sharon L. McManus, 2920 Chenoak Avenue, Baltimore, MD 21234, Petitioners.



PETER MAX ZIMMERMAN

October 23, 1996

TIMOTHY M. KOTROCO
DEP. ZONING COMM.
FOR BACTO. CO.



Dear Sir,

You may or may not read this whole letter. In either case, I request that my letter be placed in the file of CASE NO. 97-55-A.

I found some of the statements in your decision to be inaccurate, misleading, and one in particular to be offensive. I can't just ignore this. I shall try to address my concerns in order of occurrence in your presentation.

1. "Apparently, during a routine inspection of the neighborhood..." NOT SO. The Gallaghers of 2918 Chesnut Ave. called to inquire and complain about the porch enclosure. When no permit could be found the Gallaghers were told that an inspector would be sent the next day (7/11/96?) to issue a Stopwork Order. I called (7/11/96?) and was told the same thing - no permit, inspector sent to be sent, Stopwork Order. Gallaghers called again to question fact that more boards were being hammered into place.

2. "...enclosure will only use 16 ft ... width a 14 in. sheet of plywood going the depth of the porch effectively blocking the sight line across the fronts of the homes on same side of street.

3. While you told Sharada pet.t. it would have no bearing you saw fit to mention it. My closest neighbors to whom I spoke said they would not sign a pet.t. or for either party. Those who signed McManis' pet.t. probably only saw a job already started (what a pity to make them tear it down and someone making "improvements". I doubt that they gave much thought to "future implications" of granting such a variance. It's so easy to just sign - how many attended the hearing.

4. "No Chenoweth believes ... outgrown their home and should move to another residence. How callous that sounds! I did not present my objections in such a manner. I did say that over

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the years they had discussed with me plans for expansion by way of rear addition, roof (attic) expansion or basement finishing - things done in this neighborhood for over 70 yrs. I said the route they chose was a band-aid, short-term relief which would eventually result in a need to expand in the above mentioned ways. If not that, then moving to a larger house. In fact, Sharon told me they probably would not stay here long - would move due to neighbor problems.

5. "... Ms. Cheroweth does not reside ...". I do not have to reside next to a problem to care about it. Do any of the petitioner signers that Sharon solicited reside next door to her? I do own property next door and I reside a lot closer to 2920 than many of the petitioner signers. (Sharon drove me to a hearing against the Gallaghers whom I don't live next door to. She didn't object to my help then. Seems like selective acceptance of testimony to me.)

6. re McLean v. Sley
1) Property use should not be prevented by denial of variance. People have been and are living in worse conditions. Many of us can't afford to do the things we would like. If the McManus' hadn't built such a huge garage a few years back maybe they could afford a "proper" home addition now. Why should my property suffer because they planned poorly? I resent always having to pay for the deeds of the "bad guy".

Sincerely,
Mrs. Frances L. Cheroweth
2927 Cherokee Ave.
Batt. - Md. 21234

the right of the return address

CERTIFIED

P 230 781 656

MAIL

Chenoweth
2927 Chenoweth Ave
Baltimore, MD 21234

RETURN RECEIPT
REQUESTED



\$2.52
0003560114

TIMOTHY M KOTROCO
DEP. ZONING COMM.
FOR BALTO CO.
SUITE 112, COURT HOUSE
400 WASHINGTON AVE
TOWSON, MARYLAND 21204

21204/4606

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Sharon L. McManus
Clyde E. McManus

2920 Chenoak Avenue
2920 Chenoak Avenue



MICROFILMED

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

Mrs. Frances Chenneth

ADDRESS

*2927 Chesapeake Ave.
(2922)*



ZONING PETITION

THIS CERTIFIES THAT 2920 CHENOAK AVE HAS A VARIANCE OF AN 18 FOOT SETBACK INSTEAD OF THE AVERAGE 25.5 FOOT SETBACK. WE ARE TRYING TO ENCLOSE A PART OF OUR FRONT PORCH SO WE CAN INCREASE THE LIVING SPACE FOR OUR FAMILY OF FIVE. AT THE CURRENT TIME OUR HOME ONLY HAS 2 BEDROOMS AND WE WOULD LIKE TO ADD ANOTHER ONE ON THE INSIDE. THE ONLY WAY WE COULD DO THIS IS IF WE CAN CLOSE IN A PORTION OF OUR PORCH. WE ARE TRYING TO GET EVERYONE TO SIGN OUR PETITION SO WE CAN GO ON WITH COMPLETING THE ENCLOSURE.

THE ENCLOSURE AT 2920 CHENOAK HAS NO BURDEN ON ME.

Deborah A. Zigley

RECEIVED

**Please sign your name,
address, and any comments if
you'd like. Fondly, Clayton,
Sharon, Jacob, Daniel &
Samantha McManus.**

1. Matthew Brockmeyer. 2902 Chenoak

2. Rose Carfora 2900 Chenoak Ave

3. Ann Soukup 2908 Chenoak Ave.

4. Rudolph A. Soukup 2908 Chenoak Ave.

5. Nelson Amrein 2903 Chenoak Ave

6. Elizabeth Amrein 2903 Chenoak Ave

7. Anne Lewis 2911 Chenoak Ave

8. Macey Lemaster 2913 Chenoak Ave

9. Kenneth P Lemaster 2913 Chenoak Ave 21234

10. Richard & Thera Bauer 2914 Chenoak Ave. 21234

11. Patricia & Jim Maiste 2923 Chenoak

12. Peg Lankford 2921 Chenoak Ave

13. Deborah A. Quigley 2921 Chenoak Ave

14. Heather Quigley 2921 Chenoak Ave

15. Eileen Royce 2925 Chenoak Ave 21234

16. W. J. Munay 2924 CHENOAK AVE.

17. Mary Bissett 2912 Chenoak Ave.

18. Nancy Piper 2905 Chenoak Ave

19. Wayne Piper 2905 CHENOAK AVE

20. Charles R. Bosley Jr 2901 Chenoak Ave

21. Rene' Trappmann 2907 Chenoak Ave

22. Gloria Lashley 2906 Chenoak Ave.

23. John and Deborah Bush 2909 Chenoak Ave

24. Lela Eisenhardt 2916 Chenoak Ave.

William J. Shen 2917 Chenoak Ave

25. Leticia A. Shen 2917 CHENOAK AVE.
21234

26.

27.

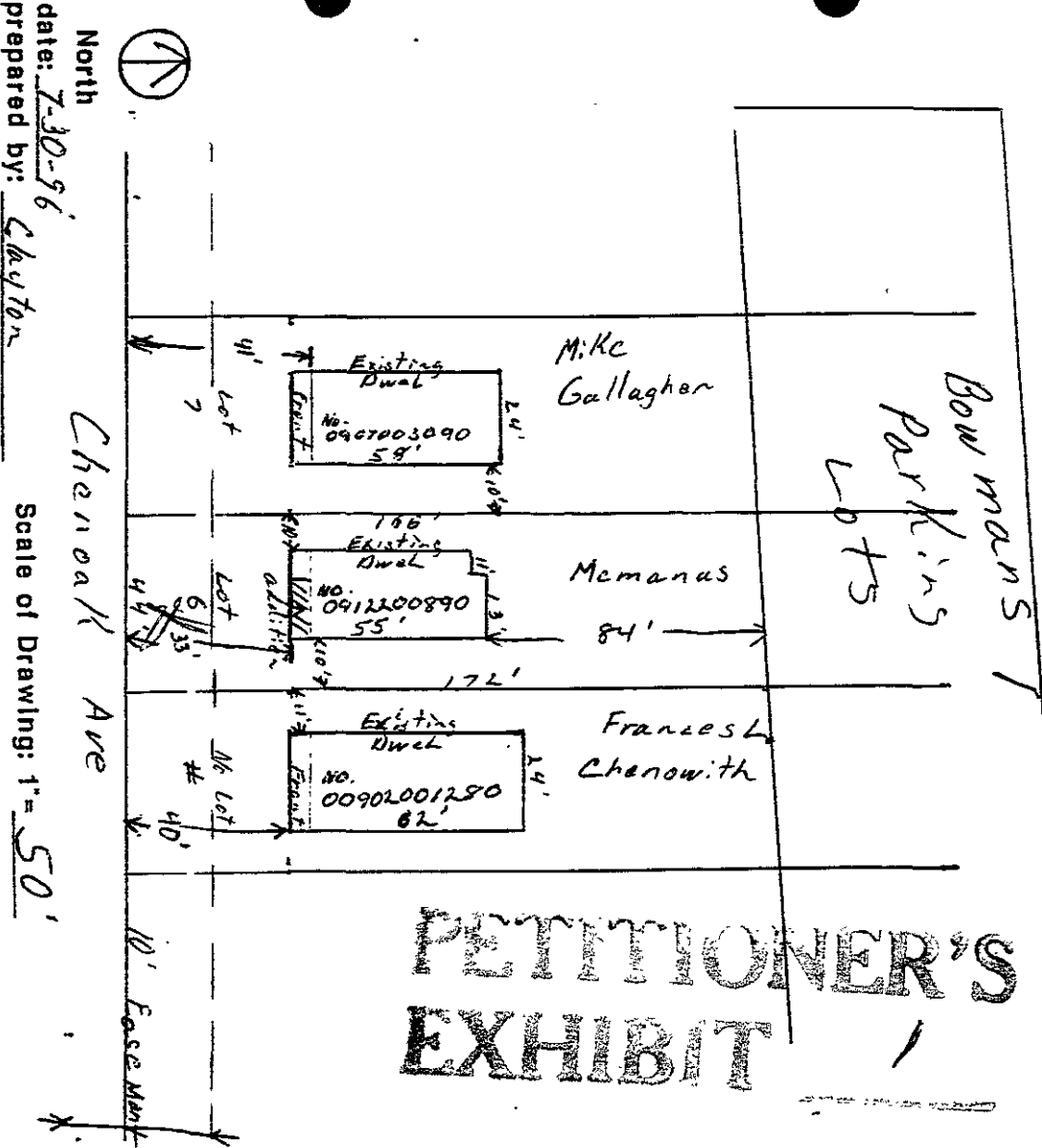
Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 2920 Chenook Ave see pages 5 & 6 of the CHECKLIST for additional required information

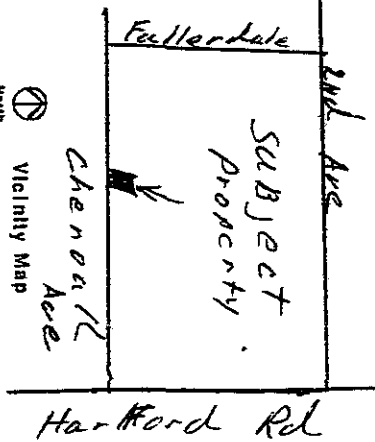
Subdivision name: Feller Dale DEED ACCT # 091230890

plat book # 5, folio # 12, lot # 6, section #

OWNER: Clayton & Sharon McManus 97-55-A



PETITIONER'S EXHIBIT



LOCATION INFORMATION

Election District: 9

Councilmanic District: 6

1"=200' scale map#: NE 9E

Zoning: DR 5.5

Lot size: 17 7244

acreage square feet

SEWER: ☒ public ☐ private
WATER: ☒ ☐

Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings:

None

Zoning Office USE ONLY

reviewed by: ITEM #: CASE#:

North
date: 7-30-96
prepared by: Clayton
Scale of Drawing: 1" = 50'

MICROFILMED

SITE PLAN TO BE USED IN DETERMINING FRONT YARD DEPTHS IN RESILIENCE ZONES
 WHEN THE IMMEDIATE ADJOINING LOTS ARE NOT IMPROVED
 Reference - Section 303.1 Baltimore County Zoning Regulations

A	41	FT.	C	40	FT
B	41	FT.	H	42	FT
C	41	FT.	I	—	FT
D	40	FT.			
E	41	FT.			
F	56	FT.			

TOTAL (340) ÷ (8) = 42.5

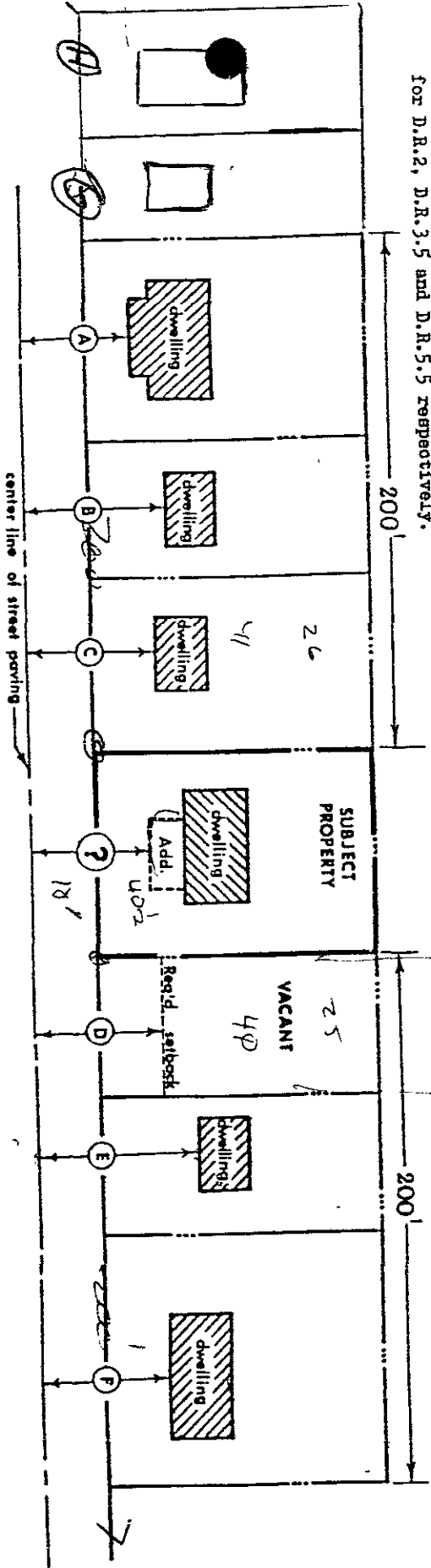
of dwellings

REQUIRED FRONT SETBACK (overaged)

NORMAL REQUIRED SETBACKS

- D.R.2 - 65 ft.
- D.R.3.5- 55 ft.
- D.R.5.5- 50 ft.

303.1 - In D.R.2, D.R.3.5 and D.R.5.5 Zones the front yard depth of any building or other structure hereafter erected shall be the average of the front yard depths of the lots immediately adjoining on each side provided such adjoining lots are improved with principal buildings situated within 200 feet of the joint side property line, but where said immediately adjoining lots are not both so improved, then the depth of the front yard of any building hereafter erected shall be not less than the average depth of the front yards of all improved lots within 200 feet on each side thereof, provided that no dwelling shall be required to be set back more than 60 feet in D.R.2 zones, 50 feet in D.R.3.5 zones and 40 feet in D.R.5.5 zones. In no case, however, shall nonresidential principal buildings have front yards of less depth than those specified therefrom in the area regulations for D.R.2, D.R.3.5 and D.R.5.5 respectively.



33
15
18

25.2

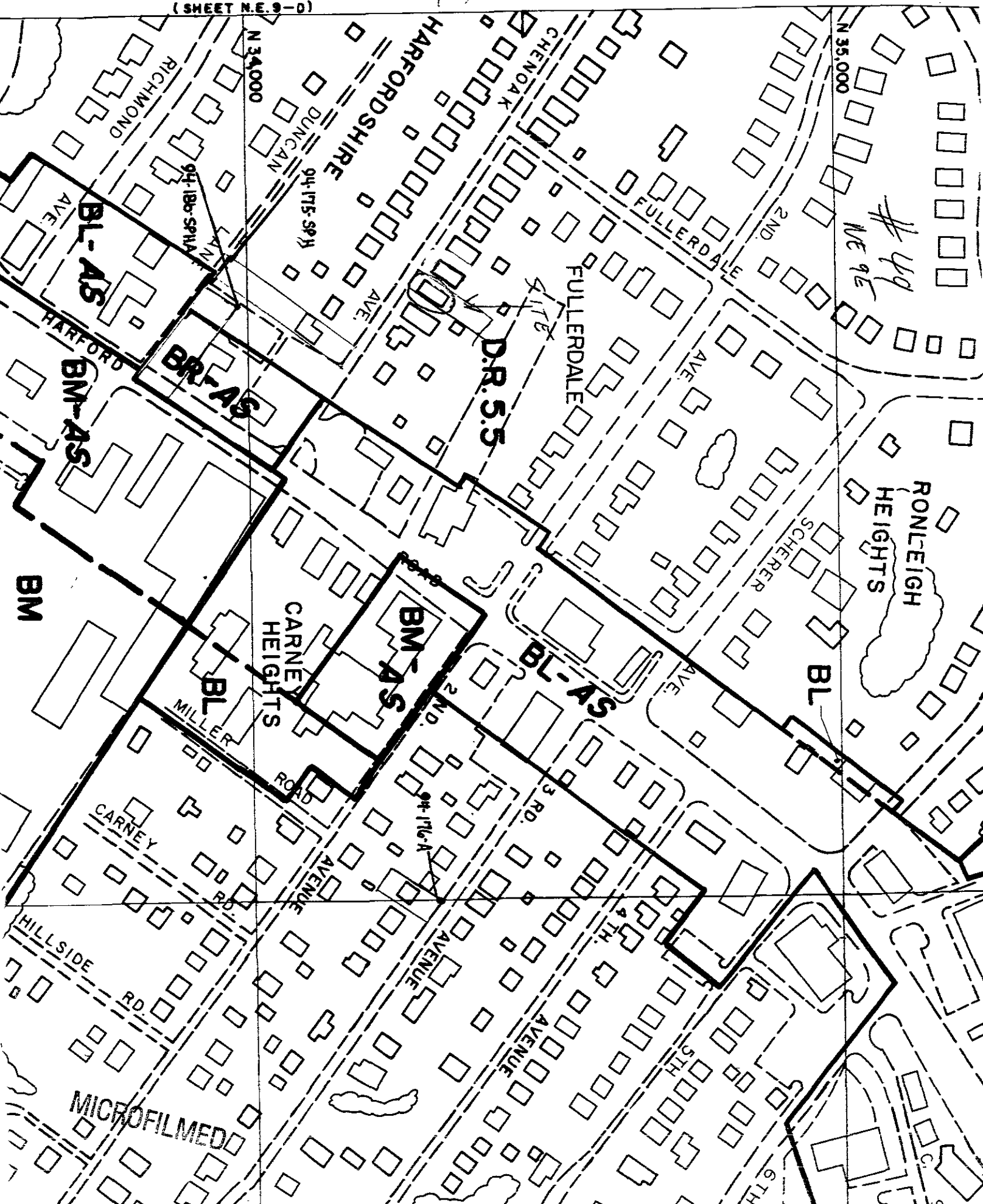
MICROFILMED

97-36-1A
 99-55-1A

applicant's name Clayton E McManis
 building address 2920 Cheneau Ave
 date 7-11-96

97-55-A

(SHEET N.E. 9-0)



plumbing devices shall not be installed below the Flood Protection Elevation.

4. The walls of the enclosed areas below the Flood Protection Elevation shall be equipped with at least two vents which permit the automatic entry and exit of flood waters with total openings of at least one square inch for every square foot of enclosed area below flood level. The vents shall be on at least two different walls, and the bottoms of the vents shall be no more than one foot above grade.

5. Any alterations or changes from these conditions constitute a violation of the Permit and may render the structure uninsurable or increase the cost for flood insurance. The jurisdiction issuing the Permit and enforcing the Ordinance may take any appropriate legal action to correct any violation.

6. Other conditions: _____

OWNER:

In witness whereof the undersigned set their hands and seals this ____ day of _____, 19__.

WITNESS:

Owner (Seal)

Owner (Seal)

NOTARY:

STATE OF MARYLAND, _____ of _____, TO WIT:

I hereby certify that on this _____ day of _____, 19 __, before me the subscriber, a Notary Public of the State aforesaid, personally appeared _____ and _____,

known to me, or satisfactorily proven to be the person(s) whose name is subscribed to the foregoing instrument, who acknowledged that he has executed it for the purposes therein set forth, and that it is his act and deed.

In witness whereof, I have set my hand and Notarial Seal, the day and year first written above.

My Commission expires on _____.

IN RE: PETITION FOR VARIANCE
NE/S Chenook Avenue, 300' SE
of c/l of Fullerdale Avenue
(2920 Chenook Avenue)
9th Election District
6th Councilmanic District
Clayton E. McManus, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-55-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 2920 Chenook Avenue, located in the vicinity of Harford Road in Parkville. The Petition was filed by the owners of the property, Clayton E. and Sharon L. McManus. The Petitioners seek relief from Sections 1802.3C1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 18 feet in lieu of the required average of 25.5 feet for a porch enclosure. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Clayton and Sharon McManus, owners of the property. Appearing as a Protestant in the matter was Frances Chenowith, adjoining property owner.

Testimony and evidence offered revealed that the subject property consists of .17 acres, more or less, zoned D.R. 5.5, and is improved with a single family dwelling. The Petitioner recently commenced enclosing an existing front porch in order to provide additional living space for his family. Apparently, during a routine inspection of the neighborhood, the Petitioner was advised that a variance was necessary and was issued a Stop Work Order pending the outcome of this hearing. Testimony indicated that

the Petitioners and their three children reside on the property and that the dwelling contains only two bedrooms. The Petitioner intends to convert the existing dining room into a bedroom and wishes to enclose the existing front porch to expand the living room area. It should be noted that the existing porch is 8 feet deep and 24 feet wide and that the proposed enclosure will only use 16 feet of the overall width. Therefore, upon completion of the enclosure, there will still remain 8 feet of front porch on the house. Due to the close proximity of the proposed addition to the front property line, a variance is necessary in order to proceed with the proposed improvements. In support of their request, the Petitioners submitted a Petition which had been signed by many of their neighbors indicating they have no objections to the proposed porch enclosure.

As noted above, Ms. Frances Chenowith appeared in opposition to the Petitioners' request. Ms. Chenowith believes that the Petitioners have simply outgrown their home and should move to another residence. Ms. Chenowith does not believe that enclosing the front porch and creating another bedroom will solve the space problems faced by the Petitioners. Furthermore, she believes that the front building setback line should be maintained throughout the neighborhood and argued that granting the proposed porch enclosure will adversely affect the surrounding community.

Testimony revealed that Ms. Chenowith does not reside on the adjacent property, but rents that property out as a two-apartment dwelling. Ms. Chenowith resides across the street at 2927 Chenook Avenue. She testified that regardless of the fact that she does not reside on the adjacent property, she objects to the Petitioners' proposal to enclose the front porch of their home.

- 2 -

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After considering the testimony and evidence offered by the Petitioners as well as the Protestants, I am persuaded to grant the variance relief. The Petitioners wish to stay in this community and in an effort to make their home more comfortable for their family, have elected to enclose a portion of an existing porch. Furthermore, the variance is not for any addition or expansion of the existing dwelling, but is necessitated by virtue of the proposed porch enclosure. In my view, the relief requested will not result in any detriment to the health, safety and general welfare of the surrounding locale and meets the spirit and intent of the zoning regulations. For these reasons, I am persuaded to grant the variance and I shall so order.

- 3 -

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24th day of September, 1996 that the Petition for Variance seeking relief from Sections 1802.3C1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 18 feet in lieu of the required average of 25.5 feet for a porch enclosure, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

TMK:bjs

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 9/24/96
By [Signature]

- 4 -



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 857-4386

September 24, 1996

Mr. & Mrs. Clayton E. McManus
2920 Chenook Avenue
Baltimore, Maryland 21234

RE: PETITION FOR VARIANCE
NE/S Chenook Avenue, 300' SE of c/l of Fullerdale Avenue
(2920 Chenook Avenue)
9th Election District - 6th Councilmanic District
Clayton E. McManus, et ux - Petitioners
Case No. 97-55-A

Dear Mr. & Mrs. McManus:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Frances Chenowith
2927 Chenook Avenue, Baltimore, Md. 21234

People's Counsel

File



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 2920 Chenook Avenue
which is presently zoned DR 5.5
97-55-A

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)
1802.3C1 and 303.1 to permit an 18 ft front yard in lieu of the average 25.5 ft

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
TO ENCLOSE A PART OF OUR FRONT PORCH TO INCREASE OUR LIVING SPACE. WITH THREE CHILDREN AND ONLY TWO BEDROOMS. WE ARE CONVERTING OUR DINING ROOM INTO ANOTHER BEDROOM. ELEVATING THE ROOF OR GOING OUT THE BACK WOULD COST THOUSANDS. TO MAKE A LATERAL MOVE IS IMPOSSIBLE. THERE IS ALREADY A FOUNDATION TO BUILD ON THE PORCH SO THIS IS MOST PRACTICAL.
Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to abide by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:
Type or Print Name
Signature
Address
City State Zipcode
Attorney for Petitioner:
Type or Print Name
Signature

(We do solemnly swear and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.)
Legal Owner(s):
Clayton E. McManus
Sharon L. McManus
2920 Chenook Ave
Address
City State Zipcode
Name Address and phone number of representative to be contacted

Address
City State Zipcode

Printed with Signature on Recycled Paper

NAME
ADDRESS
CITY STATE ZIPCODE
ESTIMATED LENGTH OF HEARING
the following date
ALL OTHER
REVIEWED BY
DATE

Don't schedule hearing from 8/30 - 9/6 (Deadline)

Beginning on the northwest side of Chenook Avenue, 30 feet wide, at the distance of 300 feet southeast the centerline of Fullerdale Rd. Being Lot 6 in the Fullerdale subdivision as recorded in Plat Book 5, Folio 12. Also known as 2920 Chenook Avenue containing .17 acres in the 9th Election District.

CASE NUMBER: 97-55-A (Item 49)
2920 Chenook Ave NE/S Chenook Ave, 300' SE of c/l Fullerdale Ave 9th Election District - 6th Councilmanic
Legal Owner(s): Clayton E. McManus and Sharon L. McManus
Variance to permit a 18 foot front yard in lieu of the average 25.5 feet.
HEARING: MONDAY, SEPTEMBER 9, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

Post by: 8/25/96
2807

49

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th
Posted for: 9-9-96 HEARING Date of Posting: 8/24/96
Petitioner: MC MANUS
Location of property: 2920 CHENOOK AVE
Location of Sign: _____
Remarks: _____
Posted by: [Signature] Signature Date of return: _____
Number of Signs: _____

CERTIFICATE OF PUBLICATION

TOWSON, MD. Aug 22, 1996
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Aug 22, 1996

THE JEFFERSONIAN,
A. Henricson
LEGAL AD. - TOWSON

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the County and Zoning Laws of Baltimore County, will hold a public hearing on the property identified herein in Room 118 of the County Office Building, 111 W. Chesapeake Avenue, in Towson, Maryland 21204, on Monday, September 9, 1996 at 9:00 a.m. in Room 118, Old Courthouse, 111 W. Chesapeake Avenue, Towson, Maryland 21204 as follows:
Case #97-55-A
2920 Chenook Avenue
NE/S Chenook Avenue, 300' SE of c/l Fullerdale Avenue
9th Election District - 6th Councilmanic District
Legal Owner(s): Clayton E. McManus and Sharon L. McManus
Variance to permit an 18 foot front yard in lieu of the average 25.5 feet.
HEARING: MONDAY, SEPTEMBER 9, 1996 at 9:00 a.m. in Room 118, Old Courthouse, 111 W. Chesapeake Avenue, Towson, Maryland 21204 as follows:
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are held on Wednesdays. (2) Hearings are held on Wednesdays. (3) Hearings are held on Wednesdays. (4) Hearings are held on Wednesdays. (5) Hearings are held on Wednesdays. (6) Hearings are held on Wednesdays. (7) Hearings are held on Wednesdays. (8) Hearings are held on Wednesdays. (9) Hearings are held on Wednesdays. (10) Hearings are held on Wednesdays. (11) Hearings are held on Wednesdays. (12) Hearings are held on Wednesdays. (13) Hearings are held on Wednesdays. (14) Hearings are held on Wednesdays. (15) Hearings are held on Wednesdays. (16) Hearings are held on Wednesdays. (17) Hearings are held on Wednesdays. (18) Hearings are held on Wednesdays. (19) Hearings are held on Wednesdays. (20) Hearings are held on Wednesdays. (21) Hearings are held on Wednesdays. (22) Hearings are held on Wednesdays. (23) Hearings are held on Wednesdays. (24) Hearings are held on Wednesdays. (25) Hearings are held on Wednesdays. (26) Hearings are held on Wednesdays. 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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 49 Petitioner: Clayton McManus

Location: 2920 Chenook Avenue

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Clayton McManus

ADDRESS: 2920 Chenook Avenue

Baltimore, MD 21234

PHONE NUMBER: 410-282-5641

TO: PUTNEM PUBLISHING COMPANY
August 22, 1996 Issue - Jeffersonian
Please forward billing to:
Clayton McManus
2920 Chenook Avenue
Baltimore, MD 21234
882-8641

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-55-A (Item 49)
2920 Chenook Avenue
NE/S Chenook Avenue, 300' SE of c/l Palladale Avenue
9th Election District - 6th Councilmanic
Legal Owner(s): Clayton E. McManus and Sharon L. McManus

Variance to permit a 18 foot front yard in lieu of the average 25.5 feet.

HEARING: MONDAY, SEPTEMBER 9, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

LAURENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 15, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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Variance to permit a 18 foot front yard in lieu of the average 25.5 feet.

HEARING: MONDAY, SEPTEMBER 9, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: Clayton and Sharon McManus

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 5, 1996

Mr. and Mrs. Clayton E. McManus
2920 Chenook Avenue
Baltimore, MD 21234

RE: Item No.: 49
Case No.: 97-55-A
Petitioner: Clayton McManus, at ux

Dear Mr. and Mrs. Moser:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 1, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/se
Attachment(s)

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BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management
FROM: Robert W. Bowling, Chief
Development Plans Review Division
SUBJECT: Zoning Advisory Committee Meeting
for August 19, 1996
Item Number 049

Date: August 16, 1996

The Development Plans Review Division has reviewed the subject zoning item.

Chenook Avenue is an existing road which shall ultimately be improved as a 30-foot cross section on a 50-foot right-of-way.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management
FROM: Pat Keller, Director
Office of Planning
SUBJECT: Petitions from Zoning Advisory Committee

DATE: August 8, 1996

The Office of Planning has no comments on the following petition(s):

Item Nos. 47, 49, 50, 51, and 53

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Viana

PK/JL

ITEM49/PZONE/SAC1

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: Aug 12, 96

DATE: Aug 13, 1996

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 43 52
44 53
45 54
47
48
49
50
51

RBS:sp

BRUCE2/DEPRM/TXTSBP

Baltimore County Government Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 08/14/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUG. 12, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 43, 45, 46, 47, 49, 50, 51, 52, 53 AND 54.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4861, MS-1102F

cc: File

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on Recycled Paper

ZONE22C

#43 --- JRA

1. Petition form does not have section number or what they are requesting.
2. Petition form states zoning is "residential".

#45 --- MJK

1. Petition was not given copy of receipt - still in folder.
2. No telephone number for legal owner

#46 --- MJK

1. No telephone number for legal owner.

#48 --- JLL

1. Need authorization for attorney to sign for legal owner

#49 --- MJK

1. No telephone number for legal owner.

#52 --- MJK

1. Receipt not given to petition - still in folder.
2. No name, address, etc. for legal owner.

August 7, 1996

RE: PETITION FOR VARIANCE * BEFORE THE
2920 Chenoak Avenue, NE/S Chenoak Ave.,
330' SE of c/l Fullerdale Avenue * ZONING COMMISSIONER
9th Election District, 6th Councilmanic *
* OF BALTIMORE COUNTY
Clayton E. and Sharon L. McManus *
Petitioners * CASE NO. 97-55-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of September, 1996, a copy of the foregoing Entry of Appearance was mailed to Clayton E. and Sharon L. McManus, 2920 Chenoak Avenue, Baltimore, MD 21234, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

TIMOTHY M. KOTROGO
DEP. ZONING COMM
FOR BALTO. CO.

Dear Sir,
You may or may not read this whole letter. In
either case, I request that my letter be placed in
the file of CASE No. 97-55-A.

I found some of the statements in your decision to be inaccurate, misleading and one in particular to be offensive. I can't just ignore this. I shall try to address my concerns in order of occurrence in your presentation.

1" Apparently during a routine inspection of the neighborhood. . . . NOT SO. The Gallagher #2418 Ching has been called to inquire and complain about the porch and especially permit could be found the Gallagher were told that an inspector would be sent the next day (7/11/96) to issue a Stop Work Order. Called (7/11/96) and was told the same thing - permit, inspector sent to be sent Stop Work Order. Gallagher called again to question. That that more boards were being hammered into place.

2. ... and save w. 11 only use 16 ft ... with a $\frac{1}{4}$ in. sheet of plywood going the depth of the porch effectively block the sight line across the fronts of the homes on same side of street.

3 While your Dr. Spaulding party was
 here we saw you saw a little more of it. My
 great neighbors who were in the other way
 not sign a petition for the party those who signed
 McManis' petition probably made some a few days
 later (W. B. A. party) make them tear it down
 and some one of "improvements" I doubt that
 they gave me a copy to give me. I am
 of getting such a variance of 3 to 50 to just
 the same now at the same time.

4. "No Chinewit^h believes in ^{being} outgrown the ^{place} home and ^{and} moved ^{to} move to another residence. Now calling that sounds. I did not present my objections in such a manner. I did say that our

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME Mr. Francis Christman R

ADDRESS 2327 Christman Ave
(2327)

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Shirley L. McManus	2920 Cheviot Avenue
Cheryl E. McManus	2920 Cheviot Avenue

ZONG CHEN

THIS CERTIFIES THAT 2920 CHENOAK AVE
HAS A VARIANCE OF AN 18 FOOT
SETBACK INSTEAD OF THE AVERAGE 25.5
FOOT SETBACK. WE ARE TRYING TO
ENCLOSE A PART OF OUR FRONT PORCH
SO WE CAN INCREASE THE LIVING SPACE
FOR OUR FAMILY OF FIVE. AT THE
CURRENT TIME OUR HOME ONLY HAS 2
BEDROOMS AND WE WOULD LIKE TO ADD
ANOTHER ONE ON THE INSIDE. THE ONLY
WAY WE COULD DO THIS IS IF WE CAN
CLOSE IN A PORTION OF OUR PORCH. WE
ARE TRYING TO GET EVERYONE TO SIGN
OUR PETITION SO WE CAN GO ON WITH
COMPLETING THE ENCLOSURE.

THE ENCLOSURE AT 2920 CHENOAK HAS
NO BURDEN ON MF..

Robert A. Quigley

[illegible][illegible]